https://mail.google.com/mail/u/0/?ik=14b236638d&view=pt&search=all&permthid=thread-f:1748347338607913972%7Cmsg-f:1748347338607

Gmail

Chris Carlin <chrisnoelcarlin@gmail.com>

# Election Complaint of Chris Noel Carlin

1 message

**Chris Carlin** <chrisnoelcarlin@gmail.com> Tue, Nov 1, 2022 at 8:55 PM
To: elections@sos.texas.gov, electionintegrity2022@oag.texas.gov
Cc: "Mr. Chris N. Carlin" <chrisnoelcarlin@gmail.com>

Good evening,

Kindly find the attached Election Complaint to the Secretary of State.

Please note that, pursuant to the October 24, 2022 Press Release of the Attorney General requesting notice of violations of Texas election laws be sent to the General Election Integrity Team, the electionintegrity2022@oag.texas.gov email address has been copied as well.

Thank you for your attention to this important matter.

Kindest regards,

Chris Noeł Carlin
4007 McCullough Ave., #240
San Antonio TX 78212
Tel: (210)687-3936
Fax: (866)480-3772

**[redacted]_20221101_CARLIN_Election Complaint to the Texas Secretary of State (filing copy).pdf**
967K

Texas Secretary of State P.O. Box 12060 Austin, Texas 78711-2060 1-800-252-VOTE (8683) www.sos.state.tx.us

# ELECTION COMPLAINT TO THE TEXAS SECRETARY OF STATE

| Docket Number | OFFICE USE ONLY | Date Hand-delivered or Date Postmarked |
|---|---|---|
| | | / / |

**Please read the Important Information at the end of this document. The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. A complaint filed with this form will not alter the results of an election.**

**This complaint form MUST BE SIGNED before it is submitted to the Secretary of State; therefore, you must print it out and sign it before mailing or faxing a copy or emailing a scanned, signed copy.**

## I. IDENTITY OF COMPLAINANT

**1 COMPLAINANT NAME**

MS / MRS / MR: Mr.
FIRST: Chris
MI: Noel
NICKNAME:
LAST: Carlin
SUFFIX:

**2 COMPLAINANT PHYSICAL ADDRESS**

ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE):
CITY:
STATE ZIP CODE: Texas, 78212

(Full home or business address, including street, city, state, and zip code)

**3 COMPLAINANT MAILING ADDRESS**

☐ (check if same as above)

ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE): 4007 McCullough Ave., #240
CITY: San Antonio,
STATE ZIP CODE: Texas, 78212

(Full home or business address, including street, city, state, and zip code)

**4 COMPLAINANT TELEPHONE NUMBER**

AREA CODE PHONE NUMBER EXT: 210-687-3936

**5 COMPLAINANT E-MAIL ADDRESS**

ChrisNoelCarlin@gmail.com

## II. IDENTITY OF RESPONDENT

PERSON OR ENTITY COMMITTING ALLEGED VIOLATION(S)

**6 RESPONDENT NAME**

MS / MRS / MR:
FIRST:
MI:
NICKNAME:
LAST:
SUFFIX:

**7 RESPONDENT POSITION OR TITLE**

Elections Administrator

**8 RESPONDENT PHYSICAL ADDRESS**

ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE):
CITY:
STATE: TX
ZIP CODE: 78666

(Full home or business address, including street, city, state, and zip code)

**9 RESPONDENT MAILING ADDRESS**

☑ (check if same as above)

ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE):
CITY:
STATE ZIP CODE:

(Full home or business address, including street, city, state, and zip code)

**10 RESPONDENT TELEPHONE NUMBER**

AREA CODE PHONE NUMBER EXT:

**11 RESPONDENT E-MAIL ADDRESS** (IF KNOWN)

GO TO PAGE 2

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

## III. NATURE OF ALLEGED VIOLATION



If you believe that a criminal violation of the Code has occurred, please state the specific acts committed by the person or entity named in this complaint, along with a reference to the section of the Code alleged to have been violated, if known. If you need more space, please attach a separate sheet.

On or about the summer of 2021, in [redacted], Election Administrator of [redacted], permitted Hart InterCivic to "upgrade" the [redacted] electronic voting system in a manner which erased or otherwise denies public access to the electronic cast vote records of the November 03, 2020 general election in Hays County, Texas.

According to Election Advisory No. 2019-23, Section 12 – Retention of Election Materials:
"1. Records created as part of an election must be retained for twenty-two months."

According to the same section of Election Advisory No. 2019-23, this includes, but is not limited to the following: "Electronic Records: Ballot definitions; Cast vote records (ballot images), as applicable; Audit logs; and Election results."

Election Code, Section 66.002 provides that "'precinct election records' means the precinct election returns, voted ballots, and other records of an election that are assembled and distributed under this chapter."

Election Code, Section 66.058(g) also provides that electronic records created under Election Code, Chapter 129 shall be preserved in a secure container.

According to Election Code, Section 66.058(a) provides that "precinct election records shall be preserved by the authority to whom they are distributed for at least 22 months after election day."

Election Code, Section 66.058(d) provides that "[a] custodian of a ballot box or secure container containing voted ballots commits an offense if, during the preservation period prescribed by Subsection (a), the custodian: (1) makes an unauthorized entry into the box or container; or (2) fails to prevent another person from handling the box or container in an unauthorized manner or from making an unauthorized entry into the box or container.

Election Code, Section 66.058(e) provides that "[a]n offense under Subsection (d) is a Class A misdemeanor."

ATTACH ADDITIONAL PAGES AS NEEDED

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

645 days, 11 hours, 40 minutes after sending

Gmail

645 days, 13 hours, 24 minutes after sending

# SOS Complaint 322 Response Letter

1 message

**Elections Internet** <Elections@sos.texas.gov> Thu, Aug 8, 2024 at 10:19 AM
To: "chrisnoelcarlin@gmail.com" <chrisnoelcarlin@gmail.com>

Thank you for contacting the Elections Division of the Office of the Texas Secretary of State.

Attached is a response to your complaint that was submitted to our office.

Again, thank you for contacting our office. If you have any additional questions or if we can be of further assistance, please contact our office at 1.800.252.8386 or email us at Elections@sos.texas.gov.

Public Information & Complaints – Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor

Austin, Texas 78701 | 800-252-VOTE(8683)

*The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.*

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

**2 attachments**

**322 Chris Noel Carlin - SOS Response.docx**
168K

**322. Chris Noel Carlin Complaint.pdf**
764K

# The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Jane Nelson
Secretary of State

August 8, 2024

Chris N. Carlin
4007 McCullough Ave #240
San Antonio, Texas 78212
chrisnoelcarlin@gmail.com

Dear Chris Carlin,

This letter is in response to the information and materials you provided in the elections complaint that you submitted to our office regarding the [redacted] Elections Administrator for allegedly permitting Hart InterCivic to upgrade their voting system in a way that prohibited public access to electronic cast vote records violating the retention policy of election materials.

Texas Election Code 66.058(a) provides that the precinct election records for an election must be preserved for at least 22 months after election day. While more specific records may be subject to more specific records, the 22-month preservation period is required for most election records, including records produced by a voting system.

While it is common for counties to periodically upgrade their voting system hardware and software to newer versions, a county that upgrades their voting system must still maintain the necessary hardware and software to access those records from their system during the 22-month preservation period following each election. This would require the county to maintain some hardware and software from an older version of their voting system, if that is what is needed for them to be able to access those records.

To the extent that your complaint alleges a violation of the Public Information Act, that complaint would need to be directed to the Open Government Division of the Attorney General's Office. Our office does not have any authority over issues involving open government or public information requests. For more information on those issues, you may wish to contact the Texas Attorney General's Open Government hotline at 877-673-6839 or submit an Open Records Complaint at https://oag.my.site.com/OpenRecords/s/.

If you have any further questions, please do not hesitate to contact the Elections Division toll-free at 1-800-252-(VOTE) 8683.

Sincerely,

[redacted]
Director of Elections

CA: TB

(Can't you see it yet? What if the police also started signaling that I would now be framed for crimes? What if neighbors then started filing bogus reports against me? What if the investigator also lied in their own investigation?) (Still can't see it? Maybe you can NOT-SEE, Nazi.)